IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 19TH JANUARY 2007 / J9TH PAUSHA 1928

WP(C).No. 32174 of 2005(E)

PETITIONER:

HARIS MUSTHAFA, PULICKAL HOUSE,
MUNDIYERUMA KARA, PAMPADUMPARA VILLAGE,
UDUMBANCHOLA TALUK, IDUKKI DISTRICT.

BY ADV. SRI.PAULY MATHEW MURICKEN

RESPONDENTS:

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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, IDUKKI.

2. SPECIAL SALE OFFICER, BALAGRAM SERVICE CO-OPERATIVE GROUP, OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES(GENERAL), UDUMBANCHOLA, NEDUMKANDOM, P.O. IDUKKI DISTRICT.

3. IDUKKI DISTRICT DEALERS CO-OPERATIVE SOCIETY LTD.NO.1/401, NEDUMKANDOM P.O. IDUKKI DISTRICT.

BY ADV. SRI.S.DILEEP (KALLAR) FOR R3
SRI.VINUCHAND
GOVERNMENT PLEADER, SRI S.DILEEP FOR R1 AND R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:-

EXT.P1 A TRUE PHOTOCOPY OF THE AWARD DATED 10/03/2005 PASSED BY THE 2ND RESPONDENT

EXT.P2 A TRUE PHOTOCOPY OF THE EXECUTION APPLICATION DATED 17/08/2005 FILED BY THE 3RD RESPONDENT IN AWARD NO.72/2005

EXT.P3 A TRUE PHOTOCOPY OF THE E.A.DEMAND NOTICE DATED 06/10/2005 SERVED ON THE PETITIONER BY THE 2ND RESPONDENT

EXT.P4 A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 05/11/2005 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT

\\TRUE COPY //

P.A TO JUDGE

J.M.JAMES, J.

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W.P.(C) No. 32174 of 2005 (E)

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Dated this the 19th day of January, 2007

J U D G M E N T

The prayer of the writ petitioner, who is a defaulter to the third respondent, Idukki District Dealers Co-operative Society, is that, an one time settlement facility may be extended and the petitioner may be allowed to pay the amount in instalments.

2. Considering the materials on record, I direct the writ petitioner to file a representation, before the third respondent, requesting for an one time settlement, within ten days from today. On receipt of the same, the third respondent shall hear the writ petitioner and fix the final amount due from the writ petitioner to the third respondent, as per the directions contained in the Circular No.59/2006, dated 30/11/2006.

3. Till a final decision is taken and the amounts are paid, as per the directions contained in the final order of the third respondent on the one time settlement application, there shall be no coercive action against the writ petitioner.

The writ petition is closed as above.

(J.M.JAMES)
Judge

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